

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Commerica Bank v Tom D Johnson**
Docket No. **276948**
L.C. No. **94-068152-CK**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the order of January 24, 2007, is not a final order as defined by MCR 7.202(6)(a)(i). Under that court rule only the first judgment is a final judgment. That first judgment was entered in 1998 and was the subject of claims of appeal filed in docket numbers 213977 and 213987. Since this Court affirmed in those appeals the January 24, 2007 order clearly is not a reversal of an earlier final order. Instead, it is at best a supplementary judgment that can be appealed only by an application for leave to appeal under MCR 7.205.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 29 2007

Date

Sandra Schultz Mengel
Chief Clerk